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REMARKS

Claims 1-9 were pending in the application. In the Office Action of October 29, 2004, the Examiner rejected claims 5-7 and 9 and objected to claim 8. The Examiner also requested insertion of a reference to Applicants' earlier provisional application. Submission of the Information Disclosure Statement, mailed later, was acknowledged by the Examiner as being in compliance with the provisions of 37 C.F.R. 1.97. Response by Applicants includes amendment of the claims and specification and inclusion of these remarks.

Priority

The Examiner acknowledges Applicants' claim for priority but asks for inclusion of a reference to the prior application as the first sentence in the instant application (Office Action, p. 2, lines 5-6). Applicants do not understand the reason for the Examiner's request given the sentence found on page 1 at lines 4-5 of the present application. Nonetheless, Applicants have rewritten this section.

Information Disclosure Statement

The IDS submitted on April 19, 2004 has been acknowledged by the Examiner and will be considered with respect to patentability of the claims in the application.

Claim Rejection

Claims 5-7 and 9 were rejected under 35 U.S.C. § 112, first paragraph, as lacking support for the treatment of several injuries and disorders. Applicants have responded by amending claims 5, 6, 8 and 9 and canceling claim 7. These amendments limit the methods of treatment to cerebral ischemia and stroke.

Claim 8, which depended from rejected claim 7, was objected to by the Examiner. Claim 8 was amended to depend from amended claim 6.

Conclusion

Applicants have accommodated the Examiner's requests and amended the claims in accordance with the Examiner's rejection and objection. Applicants believe that the present application is now in condition for allowance.

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If the Examiner has any questions or believes that further discussion will aid examination and advance prosecution of the application, a telephone call to the undersigned is invited. If there are any additional fees due in connection with the filing of this amendment, please charge the fees to deposit account number 19-3880.

Respectfully submitted,

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